

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.12263 of 2005

Dated:12.10.2006

Between
Sajja Kotaiah

.....Petitioner

and

1.The Revenue Divisional Officer
(Civil Supplies), Kandukuru
Division, Kandukur and
Another.

...Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.12263 of 2005

ORDER:

This writ petition is filed seeking a Mandamus to declare the action of respondents in not supplying the essential commodities to the petitioner for distributing the same to the card holders of Chinapavani village, Lingasamudram Mandal, Prakasam District, as arbitrary and illegal.

It appears that the petitioner is the fair price shop dealer of Chinapavani Village, Lingasamudram Mandal, Prakasam District for more than 20 years. While so, he applied for one month leave in the month of March, 2005 due to his ill health. Thereafter, in the month of April, he approached the authorities for supply of essential commodities. But, the essential commodities were not supplied. Therefore, he filed the present writ

petition.

Though, no counter is filed, on the basis of instructions from the Revenue Divisional Officer, Lingasamudram in his file No.1070/2005 dated 14.6.2006, the learned Government Pleader submits that the petitioner has not distributed the essential commodities to the card holders properly, charged higher rates than the rates prescribed by the Government, distributed stocks to the card holders only two or three days in a month, not maintained the records properly, delivered stocks with less weightment and caused much inconvenience to the card holders to get their ration. Therefore, a show cause notice was issued to the petitioner, who, in turn, submitted his explanation. It is further submitted that no final orders have been passed.

I am of the opinion that even as on today, the authorization of the petitioner is neither suspended nor cancelled. Therefore, the writ petition is liable to be allowed.

In the result, the writ petition is allowed and

respondents are directed to supply essential commodities to the petitioner so long as the authorization of the petitioner is neither suspended nor cancelled nor appropriate orders are passed as per law.

12-10-2006

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